

REMARKS

Formal Matters

Claims 1-11 are all the claims currently pending in the present application. With this Amendment, Applicant amends Claims 4-6, 10, and 11. No new matter is added.

In the current Office Action, the Examiner acknowledged Applicant's claim for foreign priority and the receipt of the certified copy of the priority document. The Examiner also returned a signed and initialed copy of the PTO-Form 1449 submitted with the Information Disclosure Statement of April 1, 2004.

Objection to Claim 11

Claim 11 stands objected to due to an informality. With this Amendment, Applicant amends Claim 11 for purposes of clarity and consistency. Therefore, Applicant respectfully requests that the objection to Claim 11 be reconsidered and withdrawn.

Claims 1-11 over JP '801

Claims 1-11 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Japanese Publication No. 2002-162801 ("JP '801"). Applicant respectfully traverses this rejection.

Applicant submits that JP '801 fails to disclose or suggest a controller changing a process control of at least one of the charging devices and that developing devices, based on a color image forming operation and a monochrome image forming operation, as recited in independent Claim 1.

JP '801 describes a controller (e.g. a CPU, as described in paragraph 0059) that controls the image forming conditions, such as development bias voltage based on the results of a toner

patch test. The toner patch test is repeatedly performed according to a predetermined timing or a predetermined number of sheets having been printed, and is a detection of the concentration of toner in printed test patches. However, contrary to the assertion of the Examiner, neither paragraph 0066 nor any other portion of JP '801 discloses or suggests changing the process control of charging devices or of developing devices based on a color image forming operation and a monochrome image forming operation. Further, there appears to be no description or suggestion in JP '801 of any monochrome image forming operation.

Therefore, in view of at least the above, Applicant submits that JP '801 fails to anticipate Claim 1 and that Claims 2-11 are patentable at least by virtue of their dependence on Claim 1. Applicant respectfully requests that the rejection of Claims 1-11 be reconsidered and withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/698,018

Q78283

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER



Laura Moskowitz
Registration No. 55,470

Date: May 18, 2005